

Please type a plus sign (+) in this box → ☐

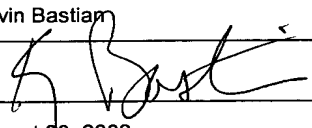
PTO/SB/21 (08-00)  
Approved through 10/31/2002. OMB 0651-0031

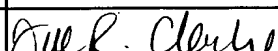
U.S. Patent and Trademark Office: DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/554,960	
	<b>Filing Date</b>	May 22, 2000	
	<b>First Named Inventor</b>	Kaslow, David	
	<b>Group Art Unit</b>		
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>	14	<b>Attorney Docket Number</b>	015280-342100US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement   <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund   <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Request for Reconsideration of Petition Under 37 CFR 1.181 and 1.137(a) Mailed October 8, 2001 (2 pgs.); One executed Declaration under 37 CFR § 1.63 for David C. Kaslow (2 pages) and One executed Declaration under 37 CFR § 1.63 for Takafumi Tsuboi and Motomi Torii (3 pages); One Declaration Under 37 CFR § 1.68 of Michele Simone (2 pages), Patent and Trademark Chronological Docket for July 23, 2000 (1 page), and Return Postcard
<input type="checkbox"/> Remarks		<b>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</b>
<b>RENEWED PETITION UNDER 37 CFR 1.181 AND 1.37 (a)</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP Kevin Bastian Reg. No. 34,774	
<b>Signature</b>		
<b>Date</b>	August 30, 2002	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Box PCT, Office of PCT Legal Administration, Washington, D.C. 20231 on this date: July 23, 2002		
<b>Typed or printed name</b>	Jill R. Clarke	
<b>Signature</b>		<b>Date</b> August 30, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1368095 v1

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 1440**Complete if Known**

Application Number	09/554,960
Filing Date	April 12, 1998
First Named Inventor	Kaslow, David C.
Examiner Name	
Group Art Unit	
Attorney Docket No.	015280-342100US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1)

(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fees from below	Fee Paid
Total Claims <input type="text"/> -20** =	<input type="text"/>	<input type="text"/>	<input type="text"/>
Independent Claims <input type="text"/> -3** =	<input type="text"/>	<input type="text"/>	<input type="text"/>
Multiple Dependent <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

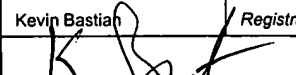
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	1440
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)1440

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Kevin Bastian	Registration No. (Attorney/Agent)	34,774	Telephone	415-576-0200
Signature				Date	August 30, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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PATENT  
Atty. Docket No. 015280-342100US

TOWNSEND and TOWNSEND and CREW LLP

By: Jill R. Clarke  
Jill R. Clarke

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

KASLOW, David C.;  
TSUBOI, Takafumi;  
TORII, Motomi

Application No.: 09/554,960

Filed: May 22, 2000

For: VACCINES FOR BLOCKING  
TRANSMISSION OF PLASMODIUM VIVAX

Examiner: N/A

Art Unit: N/A

REQUEST FOR RECONSIDERATION OF  
PETITION UNDER 37 CFR 1.181 AND  
1.137(A)

Office of PCT Legal Administration  
Commissioner for Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Sir:

Responsive to the Decision on Petition mailed February 1, 2002, Applicants submit a Request for Reconsideration of Petition Under 37 CFR 1.181 and 1.137(a).

Responsive to Item (3) of the Decision's Discussion regarding Nonreceipt of the Notification of Missing Requirements and Item (3) of the Decision's Discussion regarding Petition to Revive Unavoidably Abandoned International Application for Patent, enclosed are a newly executed Declaration Under 37 C.F.R. §1.68 of Michele Simone, a docket clerk in our U.S. docket department, and a copy of the relevant page of Townsend and Townsend and Crew LLP's "Patent and Trademark Chronological Docket" for **July 23, 2000**, the correct time period set for response to the Notification of Missing Requirements.

In the Decision mailed February 1, 2002, the Office did not accept the Declaration of Michele Simone under 37 C.F.R. §1.68 filed on October 8, 2001, because the accompanying docket report incorrectly identified August 23, 2000 as the time period for reply to the Notification. The attached Declaration of Michele Simone

Kaslow  
Application No. 09/554,960

addresses this. A docket entry corresponding to the Notification of Missing Requirements would have appeared on page 409 (where indicated by an arrow) had there been a pending due date known to us, since the docket report is sorted by due date and then by client file number. There is no entry for this matter on our docket for July 23, 2000.

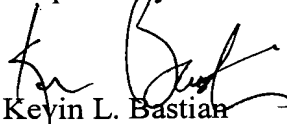
Responsive to Item (1) of the Decision's Discussion regarding the Petition to Revive Unavoidably Abandoned International Application for Patent, enclosed are two Declarations under 37 CFR 1.63, executed by all three of the inventors named in the above-noted patent application.

Applicants respectfully submit this request for reconsideration and believe this submission to be fully responsive to the Decision mailed February 1, 2002.

Applicants request that the Commissioner charge Deposit Account No. 20-1430 for all fees due in connection with the filing.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
Kevin L. Bastian  
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
KLB/jrc  
Client No. 20350

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PATENT

Attorney Docket No. 015280-342100US

TOWNSEND and TOWNSEND and CREW LLP

By: Jill R. Clarke  
Jill R. Clarke

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

KASLOW, David C.;  
TSUBOI, Takafumi;  
TORII, Motomi

US Application No.: 09/554,960  
International Application No. PCT/US98/25742

Filed: May 22, 2000

For: VACCINES FOR BLOCKING  
TRANSMISSION OF PLASMODIUM VIVAX

Examiner: Unassigned

Art Unit:

DECLARATION  
UNDER 37 C.F.R. §1.68  
OF MICHELE SIMONE

Office of PCT Legal Administration  
Commissioner for Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Sir:

I, MICHELE SIMONE, declare as follows:

1. I am a docketing clerk with the U.S. Docket Department at Townsend and Townsend and Crew LLP (TTC), San Francisco, California. I have been a docketing clerk at TTC since 1990.

2. I am responsible for handling incoming mail, including Office Actions, from the United States Patent and Trademark Office (USPTO). Under standard TTC operating procedures, Office Actions received from the

USPTO are entered in TTC's "Patent and Trademark Docket Chronological" by their due date(s). Accordingly, if a Notification of Missing Requirements Under 35 U.S.C. 371 was mailed from the USPTO on June 23, 2000, and had been received by TTC, it would have been entered with a due date of July 23, 2000.

3. I have reviewed the docket entries for items due July 23, 2000, and found none corresponding to the subject application.

4. Attached is an excerpt of the relevant part of the Docket identifying entries having a due date of July 23, 2000.

5. The client names, and application numbers have been redacted to preserve client confidentiality.

6. The docket entry for the subject missing Notification of Missing Requirements Under 35 U.S.C. 371 would have been listed on page 409, given that matters for a given date are ordered by client number and matter number. This page shows client numbers to confirm that this matter would have been on this page. No such entry is listed.

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: August 30, 2002



Michele Simone

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200 / Fax: (415) 576-0300

**Client No. 20350**

Date: 06/30/00  
Time: 13:36:49

DUE DATE LIST: FROM 07/01/00 TO 07/31/00  
U.S. Cases Only

Page: 409

ATTY	DUE DATE	ACTION DUE/ ACTION TYPE	CLIENT FILE NO. CLASS (ES)	COUNTRY	STATUS/ NUMBER/ DATE	P/M
GWC KAW MEH	07/23/00	FORGN FILE	015280 286200US (Double-Stranded RNA Dependent Protein Kinase Derived )	United States of America	PENDING 07/23/99	P
GWC TLS	07/23/00	1 MO EXT USP-RESPONSE	015280 295200US (CHIMERIC ENDONUCLEASES FOR DETECTING INTERMOLECULAR)	United States of America	PENDING 04/02/98	P
KBD J3M	07/23/00	2 MO EXT USP-RESPONSE	015325 001600US (Methods & Compositions for the Treatment & Prevention of )	United States of America	PENDING 04/02/98	P
KRA	07/23/00	FORGN FILE	015781 000700US (Switchmode Telephone Line Interface Regulating Telephone )	United States of America	PENDING 07/23/99	P
RTO CPW	07/23/00	2 MO EXT USP-PARTS DUE2	016262 000220US (Multiphase Flow Measurement Method & Apparatus	United States of America	PENDING 01/20/00	P
WLS BK	07/23/00	USP-TARGET	016301 036200US (Gas Delivery & Exhaust in One Plate Via an Array of )	United States of America	UNFILED	P



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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number

015280-342100US

First Named Inventor

KASLOW, David C.

**COMPLETE IF KNOWN**

Application Number

09/554,960

Filing Date

International Filing Date: 4 DECEMBER 1998

Art Unit

Examiner Name

**As the below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VACCINES FOR BLOCKING TRANSMISSION OF PLASMODIUM VIVAX

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

May 22, 2000

as United States Application Number or PCT International

Application Number **PCT/US98/25742** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label		20350	OR <input type="checkbox"/> Correspondence address below	
Name				
Address				
City		State		ZIP
Country	Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
David C. Given Name (first and middle [if any])		Kaslow Family Name or Surname		
Inventor's Signature <i>David Kaslow</i>				Date <i>8 Aug 02</i>
Rancho Santa Fe Residence: City	California State	US Country	US Citizenship	
17962 Camino de la Mitra Mailing Address				
Rancho Santa Fe City	California State	92067 ZIP	USA Country	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Takafumi Given Name (first and middle [if any])		Tsuboi Family Name or Surname		
Inventor's Signature				Date
Shigenobu, Ehime Residence: City	State	Japan Country	Japan Citizenship	
1246-1 Hinokuchi Mailing Address				
Shigenobu, Ehime City	State	791-0202 ZIP	Japan Country	
<input checked="" type="checkbox"/> Additional inventors are being named on the attached supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.				

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☐ Declaration  
Submitted  
With Initial  
Filing

OR

☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16(e))  
required)

Attorney Docket Number

015280-342100US

First Named Inventor

KASLOW, David C.

**COMPLETE IF KNOWN**

Application Number

09/554,960

Filing Date

International Filing Date: 4 DECEMBER 1998

Art Unit

Examiner Name

**As the below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

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**VACCINES FOR BLOCKING TRANSMISSION OF PLASMODIUM VIVAX**

the specification of which

(Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

May 22, 2000

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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**DECLARATION — Utility or Design Patent Application**

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<b>Name</b>				
<b>Address</b>				
<b>City</b>		<b>State</b>		<b>ZIP</b>
<b>Country</b>	<b>Telephone</b>			<b>Fax</b>
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
David C. <b>Given Name</b> (first and middle [if any])		Kaslow <b>Family Name</b> or Surname		
<b>Inventor's Signature</b>				<b>Date</b>
Rancho Santa Fe <b>Residence: City</b>	California <b>State</b>	US <b>Country</b>	US <b>Citizenship</b>	
17962 Camino de la Mitra <b>Mailing Address</b>				
Rancho Santa Fe <b>City</b>	California <b>State</b>	92067 <b>ZIP</b>	USA <b>Country</b>	
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Takafumi <b>Given Name</b> (first and middle [if any])		Tsuboi <b>Family Name</b> or Surname		
<b>Inventor's Signature</b> <i>Takafumi Tsuboi</i>				<b>Date</b> <i>August 12, 2002</i>
Shigenobu-cho <b>Residence: City</b>	Ehime <b>State</b>	Japan <b>Country</b>	Japan <b>Citizenship</b>	
1246-1 Hinokuchi <b>Mailing Address</b>				
Shigenobu-cho <b>City</b>	Ehime <b>State</b>	791-0202 <b>ZIP</b>	Japan <b>Country</b>	
<input checked="" type="checkbox"/> Additional Inventors are being named on the <u>attached</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.				

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Approved for use through 10/31/2002. OMB 0651-0032

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**DECLARATION****ADDITIONAL INVENTOR(S)**  
**Supplemental Sheet**  
Page 3 of 3

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Motomi		Torii	
Inventor's Signature <i>Motomi Torii</i>		Date <i>August 12, 2002</i>	
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<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Citizenship			
Mailing Address			
Mailing Address			
City		State	
		ZIP	
		Country	
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Citizenship			
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